

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JOHN A. PETTY, §
§
§
Plaintiff, §
§
v. § **Case No. 3:20-cv-01197-E**
§
FRONTIER COMMUNICATIONS §
CORPORATION, §
§
§
Defendant. §

**NOTICE OF SUGGESTION OF PENDENCY OF BANKRUPTCY FOR
FRONTIER COMMUNICATIONS CORPORATION AND AUTOMATIC STAY OF
THESE PROCEEDINGS**

PLEASE TAKE NOTICE that, on April 14, 2020, defendant Frontier Communications Corporation (“Frontier”) and its subsidiaries (collectively, the “Debtors”) filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (“Bankruptcy Code”), in the United States Bankruptcy Court for the Southern District of New York (“Bankruptcy Court”). The Debtors’ chapter 11 cases are pending before the Honorable Robert D. Drain, United States Bankruptcy Judge, and joint administration has been requested under the lead case *In re Frontier Communications Corporation, et al.*, Case No. 20-22476 (RDD) (collectively, the “Chapter 11 Cases”). A copy of the voluntary petition of the lead Debtor, Frontier, is attached hereto as **Exhibit A**.

PLEASE TAKE FURTHER NOTICE that pursuant to section 362(a) of the Bankruptcy Code, the Debtors’ filing of their respective voluntary petitions gives rise to a stay, applicable to all entities, of, among other things: (a) the commencement or continuation of any

judicial, administrative, or other action or proceeding against the Debtors (i) that was or could have been commenced before the commencement of the Chapter 11 Cases or (ii) to recover a claim against the Debtors that arose before the commencement of the Chapter 11 Cases; (b) the enforcement, against any of the Debtors or against any property of each of the Debtors' bankruptcy estates, of a judgment obtained prior to the commencement of the Chapter 11 Cases; and (c) any act to obtain possession of property of or from any of the Debtors' bankruptcy estates, or to exercise control over property of any of the Debtors' bankruptcy estates. No order has been entered in the Chapter 11 Cases granting relief from the automatic stay with respect to this case. Accordingly, this action is pending to the automatic stay.

During the pendency of the automatic stay, Frontier retains all rights and defenses in this action, including, but not limited to, its right to file a Rule 12(b)(5) motion for insufficient service of process. Summons in this action was purportedly served on Deneen L. Siefel of Registered Agent Corporation Service at 100 Pearl Street, Hartford, CT on June 12, 2020. *See* Dkt. 9 (Proof of Service). But neither Deneen L. Siefel nor Registered Agent Corporation Service are Frontier's agent to accept service of process, and Frontier's agent is not at that address. Frontier reserves the right to object to insufficient service of process at the appropriate time once the automatic stay is lifted.

PLEASE TAKE FURTHER NOTICE that pleadings filed in the Chapter 11 Cases may be obtained free of charge by visiting the website of Debtors' noticing and claims agent, Prime Clerk LLC, at <https://cases.primeclerk.com/ftr>. You may also obtain copies of any pleadings by visiting the Court's website at <http://www.nysb.uscourts.gov> (PACER login and password required) in accordance with the procedures and fees set forth therein.

Dated: July 2, 2020

Respectfully submitted,

/s/Cindy Dinh

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**ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

I certify that on July 2, 2020, a true and correct copy of the foregoing document was electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to all attorneys of record.

/s/ Cindy Dinh
Cindy Dinh

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